

TAB 7



Armored Motor Service of America, Inc.

POSTED BY JH

APR 10 2001

SEXUAL HARASSMENT PRODUCTIVE WORK ENVIRONMENT POLICY

I. Introduction

It is the goal of AMSA to promote a workplace which is professional and which treats all employees with dignity and respect. Sexual harassment or harassment of any nature whether occurring within or without the confines of the work site during the workday or outside of normal work hours while performing work-related functions or at social gatherings of co-workers is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. AMSA will not tolerate verbal or physical conduct by any employee which harasses, disrupts, or interferes with another employee's work performance or which creates an intimidating, offensive, or hostile environment. Sexual harassment is not only unfair, it's illegal.

II. Definition of Sexual Harassment

Sexual harassment is defined as:

"Sexual advances, requests for sexual favors, and verbal or physical contact of a sexual nature when:

- a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions:
- "or"
- b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexual offensive work environment.

Note: The actions defined above are not limited to AMSA employees. It also includes actions of non-employees such as customer, vendors or third parties if the employer has some degree of control to stop the improper behavior.

These definitions are broad and include any sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work-place environment that is hostile, offensive, intimidating, or humiliating to male or female workers. While it is not possible to list all those circumstances which constitute sexual harassment, the following are some examples:

- ❖ Unwelcome sexual advances – whether they involve physical touching or not.
- ❖ Request for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment.
- ❖ Unwelcome sexual jokes.
- ❖ Use of sexual epithets, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess.
- ❖ Displaying sexually suggestive objects, pictures, or cartoons.
- ❖ Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive, or insulting comments.
- ❖ Inquiries into one's sexual experiences.
- ❖ Discussion of one's sexual activities.
- ❖ Assault or coerced sexual acts.

A0275

Please also note that while it is not AMSA's intent to become involved in consensual activity, co-workers who are parties to a relationship must conform their workplace interactions to professional standards. Employee's personal relationships may not impact the workplace.

III. **Complaints of Sexual Harassment**

Any employee who believes that the actions or words of a supervisor or fellow employee constitute unwelcome harassment has a responsibility to report or complain as soon as possible to the appropriate Supervisor or to Debbie Gates, Personnel Director at 1-800-333-2864, if the complaint involves the supervisor.

All complaints of harassment must be investigated promptly and in an impartial and as confidential manner as possible by the supervisor or Personnel Director. If an employee is not satisfied with the handling of a complaint or the action taken by the supervisor, then the employee should bring the complaint to the attention of the Personnel Director. In all cases, the employee is to be advised of the supervisor's or Personnel Director's findings and conclusions.

If our investigation reveals that sexual harassment did occur, we will act promptly to eliminate the offending conduct and where it is appropriate we will also impose disciplinary action.

IV. **Disciplinary Action**

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such actions may include counseling, informal or formal reprimands, written or verbal warning, suspension, reduction in duties, transfers, and other formal sanctions, which could include termination of employment.

V. **State and Federal Remedies**

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with appropriate government agencies. See your branch bulletin board for a listing of appropriate agencies.

My signature below verifies that I received a copy of the AMSA, Inc. Sexual Harassment Policy on the date as noted.

FRANCESCO A. CATHARIELLO

Employee Name (Please Print)

Tony Lee

Employee Signature

3/29/01

Date

Revised 9.00

A0276